

## Chapter NHA 1

### AUTHORITY AND DEFINITIONS

NHA 1.01 Authority.

NHA 1.02 Definitions.

**Note:** Chapter NHA 1 as it existed on June 30, 1980, was repealed and a new chapter NHA 1 was created effective July 1, 1980.

**NHA 1.01 Authority.** The rules in chs. NHA 1 to 5 are adopted pursuant to ss. 15.08 (5) (b), 227.11 (2) and 456.02, Stats.

**History:** Cr. Register, June, 1980, No. 294, eff. 7-1-80; correction made under s. 13.93 (2m) (b) 7., Stats., Register, May, 1986, No. 365; correction made under s. 13.93 (2m) (b) 7., Stats., Register, September, 1989, No. 405; am. Register, September, 1997, No. 501, eff. 10-1-97.

**NHA 1.02 Definitions.** As used in ch. 456, Stats., and in chs. NHA 1 to 5:

(1) "Accredited college or university" means an educational institution that is accredited by a regional or national accrediting agency recognized by the U.S. department of education.

(2) "Experience in the field of institutional administration" means work experience acquired in any consecutive 36-month period within the 5-year period immediately preceding the date of application for licensure, as an employee, student, trainee or intern in the total operation and activities of a nursing home under the supervision of persons licensed under ch. 456, Stats., or holding the equivalent license in another state recognized by the board, and exposure to and knowledge of each of the following:

- (a) Fiscal management, including, but not limited to:
  1. Financial planning, forecasting and budgeting,
  2. Accounting practices and principles,
  3. Fiscal intermediaries,
  4. Public finance programs, and
  5. Management of residents' funds.
- (b) Environmental services, including, but not limited to:
  1. Preventive maintenance programs for buildings and equipment;
  2. Sanitation procedures, practices and policies;
  3. Design needs of the disabled;
  4. Environmental safety practices, policies and procedures and accident prevention;
  5. Maintenance, housekeeping, laundry and security functions;
  6. Relationship between health facility management; and
  7. Government environmental service providers.
- (c) Resident services, including, but not limited to:
  1. Therapy services,
  2. Physician services,
  3. Social services,
  4. Resident food services,
  5. Resident activities,
  6. Patient care,
  7. Drug handling and control,
  8. Nursing services, and
  9. Rehabilitative and restorative.
- (d) Personnel management, including, but not limited to:
  1. Recruiting, interviewing, hiring, training,
  2. Reviewing, disciplining, supervising of employees,
  3. Record-keeping,
  4. Preparation of statistical reports,

5. Wage and salary administration,
6. Health care staffing patterns,
7. Human relations,
8. Administering fringe benefit programs, and
9. State and federal employment regulations.

(e) State and federal inspections for compliance with applicable nursing home laws, rules and regulations.

(2n) "Inspection" means any type of inspection conducted by the Wisconsin department of health and family services pursuant to s. 50.04, Stats., or 42 CFR Part 488.

(3) "NAB" means the national association of boards of examiners of long term care administrators.

(3m) "Nursing home" has the meaning given under s. 456.01 (2), Stats.

(4) "One contact hour" means a period of attendance in a continuing education program of at least 50 minutes.

(5) "One credit hour" means a period of at least 50 minutes of instruction for a term of not less than 16 sessions.

(5m) "Pattern of serious violations of federal or state statutes, rules or regulations" means the occurrence of any of the following:

(a) One or more class A violations, as defined in s. 50.04 (4) (b) 1., Stats., in each of at least 2 inspections within any consecutive 36-month period.

(b) One or more deficiencies related to participation requirements under 42 CFR sections 483.13, 483.15 or 483.25, which constitute immediate jeopardy to a resident's health or safety, in each of at least 2 inspections within any consecutive 36-month period.

(c) One or more deficiencies related to participation requirements under 42 CFR sections 483.13, 483.15 or 483.25, which constitute a pattern of actual harm, but which does not constitute immediate jeopardy to a resident's health or safety, in each of at least 2 inspections within any consecutive 36-month period.

(d) One or more deficiencies related to participation requirements under 42 CFR sections 483.13, 483.15 or 483.25, which constitute widespread actual harm, but which does not constitute immediate jeopardy to a resident's health or safety, in each of at least 2 inspections within any consecutive 36-month period.

(e) One class A violation, as defined in s. 50.04 (4) (b) 1., Stats., and one deficiency of any type specified in par. (b), (c) or (d), within 36 months of each other, but resulting from different inspections.

(f) At least 2 or more deficiencies in any combination of single deficiencies of the types specified in par. (b), (c) or (d), within 36 months of each other, but resulting from different inspections.

(6) "Program of study" means a prescribed sequence of courses offered by a university or college, accredited by a regional or national accrediting agency recognized by the U.S. department of education, which consists of at least one course of 3 credit hours in each of the following:

- (a) Laws governing the operation of licensed nursing homes;
- (b) Elements of proper and effective administration of licensed nursing homes;

(c) Protection of the interests, safety and well-being of residents; and

(d) Psychological, physical, medical and social needs of residents.

**(7)** “Regular course of study” means a prescribed program of courses offered by a university or college, accredited by a regional or national accrediting agency recognized by the U.S. department of education, which leads to an associate, baccalaureate, master or doctoral degree and which includes a program of study and a supervised clinical practicum.

**(8)** “Specialized courses” means individual courses offered by one or more educational institutions or course providers which lead to adequate preparation in each of the following general subject areas in nursing home administration:

(a) Administration of a nursing home.

(b) Long-term patient care.

(c) Organizations of health-care systems.

**(9)** “Supervised clinical practicum” means work experience acquired in a nursing home in conjunction with a regular course of study.

**History:** Cr. Register, June, 1980, No. 294, eff. 7-1-80; am. (6) (intro.), Register, May, 1986, No. 365, eff. 6-1-86; am. (4) (a) and (b), (6) (intro.), cr. (6) (e), Register, September, 1989, No. 405, eff. 10-1-89; renum. (1) to (6) to be (5), (4), (7), (6), (8) and (1) and am. (1) (intro.), cr. (2) and (3), Register, June, 1991, No. 426, eff. 7-1-91; reprinted to correct printing error, Register, July, 1992, No. 439; corrections made in (1) under s. 13.93 (2m) (b) 1., Stats., Register, October, 1993, No. 454; am. (intro.), (1) (intro.), (b) (intro.), 7. and (c) (intro.), 9., (d) (intro.), (6) (intro.) and (7), r. and recr. (1) (c) 2., renum. (2) and (8) to be (3m) and (8) (intro.) and am., cr. (8) (a), (b), (c) and (9), Register, September, 1997, No. 501, eff. 10-1-97; renum. (1) to be (2), cr. (1), Register, January, 2000, No. 529, eff. 2-1-00; **CR 01-101: am. (intro.) and (3), cr. (2n) and (5m), Register February 2002 No. 554, eff. 3-1-02.**